

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application No.: 10/530,794 | First Named Inventor: Francis Thomas Boyle |
| 371 Filing Date: 04/08/2005 | Attorney Docket No.: 100864-1P US |
| Examiner: Sznaidman, Marcos L | Group Art Unit : 1609 |
| Customer No.: 44992 | Confirmation No.: 4278 |
| Title: Therapeutic Treatment | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT / ELECTION OF SPECIES

Sir:

In response to the Office Action dated 07/24/2007, please find the election of species as follows:

Elections

First species election

The Examiner states that this application contains claims directed to the following patentably distinct species (endothelin receptor antagonists): see list of compounds listed in claim 2. The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicants hereby elect *N*-(3-methoxy-5-methylpyrazin-2-yl)-2-(4-[1,3,4-oxadiazol-2-yl]phenyl)pyridine-3-sulphonamide (ZD4054) as the species. Claims 1-4, 6-7, 10, and 12-24 encompass the elected species.

Second species election

The Examiners states that this application contains claims directed to the following patentably distinct species (EGFR TKI): see list of compounds listed in claims 3 and 17. The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Application No. 10/530,794
Amendment Dated 08/24/2007
Reply to Office Action of 07/24/2007

Applicants hereby elect *N*-(3-chloro-4-fluorophenyl)-7-methoxy-6-(3-morpholinopropoxy)quinazolin-4-amine (ZD1839) as the species. Claims 1-4, 6-7, 10, and 12-24 encompass the elected species.

Third species election

The Examiner states that this application contains claims directed to the following patentably distinct species (types of cancer): see list of types of cancer listed in claims: 10, 12-16, and 20-24. The species are independent or distinct because claims to the different species recite the mutually exclusive characteristics of such species. In addition, these species are not obvious variants of each other based on the current record.

Applicants hereby elect lung cancer as the species. Claims 1-4, 6-7, 10, and 13-19, 21-24 encompass the elected species.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 100864-1P US.

Respectfully submitted,
/Lucy Padget/

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